

#6/ Reg for  
Refund  
11-27-01

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Jithamithra Sarathy, et al.

Title of Invention : METHOD FOR BIT-RATE AND FORMAT  
INSENSITIVE PERFORMANCE MONITORING OF  
LIGHTWAVE SIGNALS

Filing Date : May 9, 2001

Serial No. : 09/852,582

Box Refunds  
Attn.: Ms. Latrice Sims  
Commissioner for Patents  
Washington, DC 20231

REQUEST FOR REFUND OF OVERPAYMENT

Sir or Madam:

In accordance with your recent telephone conversation with Paula Halsey of our office, we submit herewith a Request for a Refund of Overpayment in connection with the above-identified patent application.

In responding to the Notice to File Missing Parts of Nonprovisional Application, dated July 9, 2001, our office mistakenly paid the funds appropriate for a large entity, when in fact we should have paid the funds appropriate for a small entity. The Assignee is a small entity. The total amount that was incorrectly paid was \$1,993.00, which included the \$40.00 recordal fee and \$65.00 late oath fee. The total amount that should have been paid is \$1,054.00. Kindly refund our firm by sending a check in the amount of \$949.00 made payable to "KAPLAN & GILMAN, L.L.P." at your earliest convenience.

Should you have any questions, kindly contact the undersigned.

Adjustment date: 11/27/2001 EEKUBAY1  
09/18/2001 SSESHE1 00000004 09852582  
01 FC:101 -710.00 OP  
02 FC:103 -468.00 OP  
03 FC:102 -320.00 OP  
04 FC:104 -270.00 OP  
05 FC:105 -130.00 OP

Respectfully submitted,

KAPLAN & GILMAN, L.L.P.  
900 Route 9 North  
Woodbridge, New Jersey 07095  
Telephone (732) 634-7634

DATED: October 19, 2001

11/27/2001 EEKUBAY1 00000004 09852582

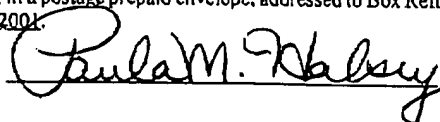
01 FC:201 355.00 OP  
02 FC:203 234.00 OP  
03 FC:202 160.00 OP  
04 FC:204 135.00 OP  
05 FC:205 65.00 OP

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being faxed to the attention of Ms. Latrice Sims at fax number (703) 308-5077, and is also being deposited with the United States Postal service as first class mail, in a postage prepaid envelope, addressed to Box Refunds, Attn.: Ms. Latrice Sims, Commissioner for Patents, Washington, D.C. 20231 on October 19, 2001.

Dated October 19, 2001

Signed


Print Name Paula M. Halsey

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11/27/2001 EEKUBAY1 0000112274

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**KAPLAN & GILMAN, L.L.P.** COUNSELORS AT LAW

900 Route 5 North  
Woodbridge, New Jersey 07095  
Telephone (732) 634-7634  
Facsimile (732) 634-6887  
www.kaplangilman.com

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**TO:** Ms. Latrice Sims

**COMPANY:** U.S. Patent & Trademark Office - Refunds

**FAX NO.:** (703) 308-5077

**FROM:** Aaron S. Haleva, Esq.

We are sending a communication of **2** page(s) (including this cover sheet). Please call (732) 634-7634 immediately if transmission is interrupted or of poor quality.

**OUR REF:** 312/12

**DATE:** October 19, 2001

**MESSAGE:**